DEPARTMENT OF HEALTH & HUMAN SERVICES

Food and Drug Administration
Rockville MD 20857

AUG 7 2012

Re: BRILINTA
Patent Nos. 6,525,060; 7,265,124;
7,250,419; 6,251,910
Docket Nos. FDA-2012-E-0149
FDA-2012-E-0150
FDA-2012-E-0151
FDA-2012-E-0036

The Honorable David J. Kappos
Under Secretary of Commerce for Intellectual Property
Director of the United States Patent and Trademark Office
Mail Stop Hatch-Waxman PTE
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Director Kappos:

This is concerning the applications for patent term extension for U.S. Patent Nos. 6,525,060; 7,265,124; 7,250,419; and 6,251,910, filed by AstraZeneca UK Limited, under 35 U.S.C. 156. The human drug product claimed by the patents is BRILINTA (ticagrelor), which was assigned new drug application (NDA) No. 22-433.

A review of the Food and Drug Administration's official records indicates that this product was subject to a regulatory review period before its commercial marketing or use, as required under 35 U.S.C. 156(a)(4). Our records also indicate that it represents the first permitted commercial marketing or use of the product, as defined under 35 U.S.C. 156(f)(1).

The NDA was approved on July 20, 2011, which makes the submission of the patent term extension applications on September 9, 2011, timely within the meaning of 35 U.S.C. 156(d)(1).

Should you conclude that the subject patent is eligible for patent term extension, please advise us accordingly. As required by 35 U.S.C. 156(d)(2)(A) we will then determine the applicable regulatory review period, publish the determination in the *Federal Register*, and notify you of our determination.

Please let me know if we can be of further assistance.

Sincerely yours,

Jane A. Axelrad
Associate Director for Policy
Center for Drug Evaluation and Research

cc: Leonard C. Mitchard
Nixon & Vanderhye P.C.
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808